

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

SCBREV-223

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/486660INTERNATIONAL APPLICATION NO.
PCT/IT98/00231INTERNATIONAL FILING DATE
11 August 1998PRIORITY DATE CLAIMED
28 August 1997

TITLE OF INVENTION

TRANSGENIC ANIMALS FOR THE STUDY OF BIOLOGICAL, PHYSICAL AND CHEMICAL TOXIC AGENTS

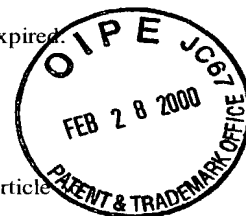
APPLICANT(S) FOR DO/EO/US SACCO, Maria Grazia; ZECCA, Luigi; BROMLEY, Peter; RONCUCCI, Romeo (Deceased);
CLERICI, Libero A.; and VEZZONI, Paolo

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:


1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)) (**Publ. No. WO 99/11772**)
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 35 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - (A) Formal Drawings - Four (4) Sheets containing Figs. 1A-C and 2-4;
 - (B) Copy of PCT Request, as filed;
 - (C) Copy of International Search Report, including references cited therein;
 - (D) Copy of International Preliminary Examination Report;
 - (E) Copy of Letter dated 11 February 2000 to the International Bureau of WIPO from applicants' Italian attorneys identifying the heirs of Romeo RONCUCCI, Deceased;
 - (F) The addresses of the applicants are as stated on the attached unexecuted Declarations.



514 Rec'd PCT/PTO 28 Feb 2000

U.S. APPLICATION NO. 097486660 (known to § 37 CFR 1.51) INTERNATIONAL APPLICATION NO. PCT/IT98/00231		ATTORNEY'S DOCKET NUMBER SCBREV-223										
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$760.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 ENTER APPROPRIATE BASIC FEE AMOUNT =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">CALCULATIONS</th> <th style="text-align: left;">PTO USE ONLY</th> </tr> <tr> <td style="width: 60%;"></td> <td style="width: 20%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>\$ 840.00**</td> <td></td> <td></td> </tr> </table>		CALCULATIONS		PTO USE ONLY				\$ 840.00**		
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CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE									
Total claims	12 - 20 =	0	X \$18.00									
Independent claims	1 - 3 =	0	X \$78.00									
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00									
TOTAL OF ABOVE CALCULATIONS =			\$ 840.00**									
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).												
SUBTOTAL =												
\$ 840.00**												
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).												
TOTAL NATIONAL FEE =												
\$ 840.00**												
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property												
TOTAL FEES ENCLOSED =												
\$ 840.00**												
**Filing Fee calculated after entry of the Preliminary Amendment filed herewith which deletes multidependencies.		Amount to be: refunded	\$									
		charged	\$									
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>840.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>07-2153</u> . A duplicate copy of this sheet is enclosed.												
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.												
SEND ALL CORRESPONDENCE TO: WHISENHUNT, Fred S. GRIFFIN, BUTLER, WHISENHUNT & SZIPL, LLP Suite PH-1, 2300 Ninth Street, South Arlington, VA 22204-2320 Telephone: (703) 979-5700 Facsimile: (703) 979-7429 Customer No.: 113 28 February 2000		<div style="text-align: center;">  SIGNATURE WHISENHUNT, Fred S. </div> <div style="text-align: center;"> NAME 24,378 </div> <div style="text-align: center;"> REGISTRATION NUMBER </div>										

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
SACCO, Maria Grazia, et al) Atty. Docket: SCBREV-223
Serial No. _____ (based)
on PCT/IT98/00231 filed on)
11 August 1998))
Filed: Herewith)
For: TRANSGENIC ANIMALS FOR)
THE STUDY OF BIOLOGICAL,)
PHYSICAL AND CHEMICAL) Date: 28 February 2000
TOXIC AGENTS)

PRELIMINARY AMENDMENT

BOX: PCT (DO/EO/US)
Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Prior to calculating the filing fee, please amend the
above-identified application as follows:

IN THE CLAIMS:

In the claims as amended during prosecution of the
corresponding international application, i.e. PCT/IT98/00231
(copy attached), please amend the claims as follows:

Claim 5, line 3, change "claims 1-4" to --claim 1--.

Claims 7, 8 and 9, line 1 of each, change "claims 5-6" to
--claim 5--.

R E M A R K S

With the above amendments, the multidependencies of claims
5 and 7-9 have been deleted.

Respectfully submitted,
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CLAIMS

- 5 1. A non-human transgenic mammal which comprises cells containing a construct of a heat shock protein (hsp) promoter linked to the growth hormone (GH) gene sequence.
2. A non-human transgenic mammal according to claim 1,
10 wherein the heat shock protein promoter is hsp70 gene promoter.
3. A non-human transgenic mammal according to claim 1, which is a rodent.
4. A non-human transgenic mammal according to claim 3,
15 which is a mouse.
5. A method for the study of chemical, physical and biological toxic agents which comprises:
- a) exposing the transgenic mammal of claims 1-4 to the toxic agent;
- 20 b) determining the effect through measurement of the hematic concentration of the reporter-gene.
6. A method according to claim 5, wherein the same animal is used for repeated tests with the same or
25 different toxic agent.
7. A method according to claims 5-6, for the study of toxicity kinetics of one or more toxic agents.
8. A method according to claims 5-6, for the study of heat stress.
- 30 9. A method according to claims 5-6, for the study of metal toxicity.

AMENDED SHEET

11. The use of the transgenic mammal of claim 1 for in
5 vivo toxicity studies.

12. The use of a transgenic animal according to claim 11, wherein said animal is a mouse.

4/PRTS

TRANSGENIC ANIMALS FOR THE STUDY OF BIOLOGICAL, PHYSICAL AND CHEMICAL TOXIC AGENTS

The present invention provides transgenic animals for the study of biological, physical and chemical toxic agents.

5 At present, toxicity tests can be carried out both in vivo and in vitro.

The industrials, the public opinion and the scientific community are strongly interested in the abolition of toxicity tests made on animals and therefore in their replacement with in vitro tests.

10 This target, however, is quite unrealistic at the moment, since no in vitro tests which can replace in vivo tests are available, either now or in the near future.

15 It is well known, in fact, that the substances under in vivo investigation often undergo metabolic modifications, which might significantly alter their toxicity profile, to an extent which would be unpredictable in in vitro tests.

20 On the other hand, in vivo studies always involve animal suffering and sacrifice.

However, it is possible to conceive genetically-engineered animal models which may simplify the determination of the toxicity of various agents and reduce the number of animals involved.

25 Recently, the use of transgenic animals as models for pharmacological studies has been proposed.

For example, EP 0 169 672 B1 describes transgenic animals bearing oncogenes like c-myc, suitable for the

2

study of tumors associated to the expression of such oncogenes, or bearing the human growth hormone gene fused to a metallothionein promoter, whereby, said promoter being an inducible promoter, it is possible to study the effect of the expression, upon induction, of the associated gene on the whole organism (Palmiter et al. (1983) Science 222, 809).

WO 91/15579 describes a method for studying mutagenesis in transgenic animals bearing DNA sequences which can easily be extracted and analysed for mutations.

The present invention provides non-human transgenic animals useful for toxicity studies.

Such animals are characterised in that they have regulatory DNA sequences in some or all their cells, which are sensitive to biological, physical and chemical toxic agents, functionally linked to sequences of reporter genes, whereby the expression of the latter sequences is controlled or induced by said regulatory sequences.

Among the regulatory sequences, the stress-promoter sequences, like the heat shock protein (hsp) promoters, are preferred, but also cytochrome-promoters of the p450-superfamily, as well as those promoters of other genes, like p53 gene, activated by biological, chemical or physical stress, can be cited.

Among suitable reporter genes, the growth hormone gene, which has been used in the experiments described below, is preferred, but also chloramphenicol acetyl transferase (CAT), green fluorescence protein (GFP) and β -galactosidase (LacZ) genes can be suitably employed.

The transgenic animals of the invention can be used

in a method for studying the toxicity induced by various agents.

In theory, any animal normally suitable for a toxicity test can be used in the method of the invention. In practice, non-human mammals, particularly
5 primates and rodents, are preferred.

Mice, in particular, are the most preferred.

Conventional methods can be used for the production of transgenic animals, including, for example, the
10 microinjection of recombinant DNA into embryonal cells or into pronuclei of one-cell stage embryos, the zygote, embryo cell, somatic cell or animal tissue infection with a virus, in particular with a retrovirus, according to what described, for example, in Hogan et al., Cold
15 Spring Harbor Laboratory Press, NY, 1986; Palmiter et al., Ann. Rev. Genet., 20: 465-499; 1986; Capecchi, Science, 244: 288-292, 1989.

The method for the in vivo assay of potential toxic compounds according to the present invention, comprises
20 exposing the animal to a chemical or physical agent for a time sufficient to induce the effect, and simply measuring the reporter gene expression. When the reporter gene encodes a protein secreted in the bloodstream, for instance, its hematic concentration, as
25 well as other chemical-clinical parameters associated with the effect caused by the activation of the stress promoter, could be detected.

According to the first aspect of the invention, a preferred embodiment is the production of transgenic
30 mice in which a construct has been inserted, which comprises a hsp promoter fused to growth hormone (GH)

4

gene (transgene), said promoter being described in Dreano et al. (Biotechnology 6:953, 1988 and Gene 49:1-8, 1986) and in Fishbach et al. (Cell Biol. Toxicol. 9:177-188, 1993). The latter publication reports that
5 the exposure to toxic metals of a stable fibroblast line, engineered with a construct containing the growth hormone gene under the control of hsp promoter, causes the secretion of the reporter gene in the medium.

According to the preferred embodiment of the
10 invention, the injury caused by the toxic agent is determined as the increase of GH plasma concentration versus the control.

This model has resulted particularly efficient and sensitive, especially in relation with toxic metals, but
15 it can suitably be used also for other classes of chemical toxic compounds, like endocrine disruptors, as well as for other physical or chemical agents, like radiations and electromagnetic fields.

The main advantages offered by the invention are:
20 the possibility to diminish animal suffering, since only low amounts of the test substances are used, surely lower than the dosages which could induce animal suffering or death; the reduction of the number of animals used in toxicological tests; the provision of a
25 model that is absolutely reliable for what concerns the metabolic modifications, which the toxic agents undergo in the organism, the interactions of toxic compounds with various organs and their final effects on cells, including the chronic effects. This model is
30 particularly useful for test reiterations and allows to monitor the agent's effect during long-lasting

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treatments using always the same animal, thus eliminating the variability of the individual response. Further, several compounds can be studied using the same animal. Finally, such transgenic models can be used also
5 for in vivo studies of toxicity kinetics of toxic compounds.

The second aspect of the invention concerns the possibility to obtain primary cultures of cells from different tissues of the transgenic animal, in which a
10 recombinant DNA construct is integrated as described above, whereby a cell- or tissue-specific toxicity study can be carried out and the intracellular biochemical effects connected to toxicity can be evaluated under controlled conditions and in more detail during
15 different stages of animal growth.

In this case, the in vitro assay comprises preparing primary cultures in conditions variable depending on the cell type, exposing said cultures to the toxic agent and monitoring the activation of the
20 stress promoter through detection of the protein encoded by the reporter gene.

Referring to the above described transgenic mice bearing the hsp/GH construct, an embodiment of the second aspect of the invention consists for example in
25 preparing primary cultures of fibroblasts, kidney, lung or bone marrow cells, hepatocytes or other, in their simultaneous or separate treatment with one or more toxic agents, and in the determination of GH secretion in the medium.

30 If, using the above assay, a tissue or a cell-type resulted sensitive to the toxic agent, a deeper

6

biochemical analysis could be made in order to find which cellular pathways are particularly involved in the toxicity.

Thus, according to a further aspect, the invention provides a method to carry out in vitro toxicity tests on primary cultures of somatic cells derived from a transgenic animal.

BRIEF DESCRIPTION OF THE FIGURES

Fig 1. Panel A: Southern blot analysis of transgenic heterozygous (lanes 1-4) and homozygous mice (lanes 5-7) and a non-transgenic control mouse (lane 8).

Panel B: RT-PCR with hGH specific primers of heat-shock activated liver cells from transgenic mice. Samples: RNA from cultured hepatocytes before (lane 1) and 30 min after (lane 2) heat shock in vitro; RNA from livers before (lane 3) and 30, 60, 90, minutes after heat shock (lanes 4-6). + and - represent the negative and positive controls respectively. Lanes 7 to 10 are the amplifications on non-retrotranscribed liver RNAs performed on the same samples as in lanes 3 to 6. M1: marker V, M2: 1 kb ladder.

Panel C: RT-PCR with HPRT specific primers performed on RNAs from the samples 1 to 6 as in panel B.

Fig. 2: Plasma levels of hGH (pg/ml) measured at different times in transgenic mice after thermal stress. Values represent the mean \pm SE; the number of mice tested for each time period is indicated by the number above each bar.

Fig. 3: Mean hGH plasma levels (pg/ml) \pm SE observed in transgenic mice injected i.p. with PBS and with various inorganic toxic compounds at the indicated

7

doses. Besides controls, are indicated: Rb: rubidium chloride; Hg: methylmercurium chloride; Cu: copper sulphate; Cd: cadmium chloride; As: sodium arsenite (2 doses)(below each bar is given the number of tested mice). The levels of significance are: * $p < 0.05$; ** $p < 0.01$; *** $p < 0.005$

Fig. 4: Mean \pm SE of plasma hGH levels observed in transgenic mice subjected to two consecutive treatments, according to the following schema:

10

Group	First treatment (T_1)	Second treatment (T_2)	Time Interval ($T_1 - T_2$)
As ₁	As	As	10 days
As ₂	Cd	As	2 months
As ₃	Rb	As	2 months
Cu	Cu	Cu	2 months
Control	untreated	untreated	

20

The following examples better illustrate the invention:

EXAMPLE 1

Production and characterization of a transgenic mouse lineage

25

Transgenic mice were produced according to standard techniques (Hogan et al., "Manipulating the mouse embryo: a laboratory manual", Cold Spring Harbor Laboratory Press, Cold Spring Harbor, N.Y., 1986), by microinjecting 1-cell stage embryo pronuclei with a 1.4 kb EcoRI DNA fragment from p17hGH construct (described in Dreano et al., Biotechnology 6:953, 1988 and Gene

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8

49:1-8, 1986), containing the human growth hormone cDNA as reporter gene, fused to the control region of the human Hsp70 promoter.

Mice were screened by Southern blot and/or PCR performed on tail DNA according to standard techniques. PCR was performed with the following primers: hGHL:GTGCAGTTCCTCAGGAGTGT; hGHR: CGAACTTGCTGTAGGTCTGC.

The amplification product was 171 bp long. Amplification conditions (35 cycles) were: 94°C for 20 sec, 58°C for 30 sec and 72°C for 20 sec. Heterozygous males and females were crossed and the homozygous progeny was identified by Southern blot, based on the intensity of the transgenic bands; their homozygosity was confirmed by checking the offspring when the homozygous male was mated to a non-transgenic partner. The mice used for the in vitro and in vivo experiments were always derived from a homozygous male bred with a non-transgenic CD-1 female.

Total RNA was extracted from different tissues (liver, spleen, lung, kidney, blood) of transgenic and control mice, according to standard techniques (Sambrook et al., "Molecular cloning: a laboratory manual", Cold Spring Harbor Laboratory Press, Cold Spring Harbor, N.Y.). Southern and Northern blot were performed according to standard techniques.

In order to evaluate the basal value of non-induced expression of the transgene, mice were analysed with Northern blot and with RT-PCR.

No expression was detected in lung, kidney, spleen, liver and peripheral blood lymphocytes of non-treated animals or of animals not-exposed to heat shock. The hGH

9

level in non-treated mice (control) was generally under the test detection limits, and when it was determined, it never exceeded 10 pg/ml.

EXAMPLE 2

5 In vivo heat shock treatment.

Eight transgenic mice obtained according to example 1 and four non-transgenic control mice were subjected to in vivo heat shock at 44°C for 30 min. Six additional unexposed transgenic mice were tested. Aliquots of blood
10 were taken before and 1, 3, 5, 7, and 24 hours after the heat shock.

In transgenic mice (Fig. 2) a specific increase of plasma hGH was detected with a peak three hour after treatment.

15 These results suggest that the integrated transgene does not affect in vivo the normal responsiveness of hsp promoter.

EXAMPLE 3

a) Inducibility of the hsp70/hGH transgene expression
20 in vivo by sodium arsenite and methylmercurium chloride.

Male transgenic mice obtained as described in example 1 were weighed, anesthetized with ether and injected intraperitoneally (i.p.) with NaAsO₂ dissolved in PBS, at a final dose of 2.5 or 5 mg/kg, or with 3.5
25 mg/kg CH₃HgCl dissolved in PBS. Control transgenic mice were injected with the same volume of PBS (about 200 µl/mouse).

Blood samples were recovered before injection and 1, 3, 5, 7 and 24 hours after treatment.

30 hGH plasma levels at different times and doses are shown in Fig. 3.

10

Both the tested doses of NaAsO_2 gave a clear and statistically significant response.

The response peaked after 3-5 hours and turned to the basal level 24 hours after injection.

5 CH_3HgCl gave hGH peaks after 5-7 hours and baseline hGH values 24 hours after injection.

b) Following the same procedure as described in a), hGH inducibility was evaluated in mice treated with rubidium chloride (18.5 mg/kg, c), copper sulfate (9
10 mg/kg, d) and cadmium chloride (4.7 mg/kg, e).

Results are reported in Fig. 3.

EXAMPLE 4

Inducibility of the hsp70/hGH transgene expression in vivo by repeated injections of toxic compounds.

15 Initially, 13 mice were treated as follows:

5 mice with As, 3 mice with Cd, 2 mice with Rb, 3 mice with Cu. After a period of 10 days to 2 months, the former three groups of mice were re-inoculated with As, the latter with Cu.

20 Blood samples were taken before and 3-5 hours after injection, i.e. at the times of highest response.

As shown in Fig. 4, after the first administration of the compound, the mice showed a response comparable to that observed in groups of mice treated as in example
25 3.

When retested after 10-60 days, a similar hGH increase was observed.

EXAMPLE 5

Embryonic fibroblast primary cultures-in vitro toxicity tests.

30 Homozygous transgenic mice obtained as described in

11

example 1 were crossed with CD-1 females. After 14 days, embryonic fibroblasts (EMFIS) were recovered from the fetuses according to the technique described by Robertson E.J., IRL Press, Oxford, 77-88, 1987.

5 Cells were cultured in DMEM supplemented with 10% FCS and antibiotics (pen/strep), in an incubator (CO₂:5%, 100% humidity). Culture medium was replaced every second day with pre-warmed (37°C) fresh culture medium. The cells were expanded for two passages and
10 then frozen at -80°C. For each experiment, cells were thawed, plated in 10 cm Petri dishes, left to grow and then re-seeded on 12 well plates until confluence.

 To evaluate the toxic effect of the compounds, cells were treated by substituting the culture medium
15 with fresh pre-warmed serum-free medium containing the toxic compounds at the chosen final dilutions. Cells were exposed to the toxic compound for either 5 or 24 hours and then the medium was replaced with fresh control medium for an additional 24 hours. At the end of
20 the treatment, culture media were collected and assayed for hGH secretion by enzyme immunoassay.

 Each treatment was performed in triplicate and the hGH determination was repeated twice for each plate. The results are expressed as pg of hGH/10⁶ cells. The
25 sensitivity of this method was approximately 2-4 pg/ml.

 As shown in the table, calcium and rubidium, known for their lack of toxicity at the tested concentrations, do not provoke hGH release in the medium.

 On the contrary, a significant release is induced
30 after 24 hours of chrome exposure, while copper gives a low response after 24 hours at the highest

WO 99/11772

PCT/IT98/00231

12

concentrations. On the contrary, mercurium does not induce hGH release from fibroblasts at each tested concentration.

Finally, arsenic and cadmium, as expected, showed
5 clearly toxic.

EXAMPLE 6

Primary hepatocytes cultures-in vitro toxicity tests.

Transgenic male mice 8 weeks old were anesthetized
10 and their livers were perfused as described in Clerici
et al., Mut. Res., 227:47-51, 1989, in order to collect
hepatocytes. Hepatocytes were then seeded on 24 well
plates (2×10^5 cells/well) and cultured in William's E
medium supplemented with antibiotics (pen/strep) and 10%
15 FCS for 2 hours in order to allow them to attach to the
bottom of the Petri dishes. The supernatant was then
removed and the adherent cells were treated with the
compounds dissolved in the medium.

To evaluate the toxic effect of the compounds,
20 cells were treated by substituting the culture medium
with fresh pre-warmed serum-free medium containing the
toxic compounds at the chosen final dilutions.

As shown in the table, calcium and rubidium do not
induce hGH release by mature hepatocytes.

25 Chrome treatment induces a high response after 24
hours, while copper treatment causes release either
after 5 or 24 hours at each concentration.

Mercurium induces a response at concentrations
higher than 5×10^{-5} M, while arsenic and cadmium show
30 extremely toxic.

EXAMPLE 7

13

In vitro toxicity tests on kidney, lung and bone-marrow primary cultures.

Kidney and lung cells were recovered as described by Campbell, J. A. et al. ("Sister chromatid exchange analysis of mice following in vitro exposure to vinyl carbonate", In vitro Cell. Dev. Biol. 22: 443:448, 1986).

Briefly, kidneys were removed from the same animals subjected to liver perfusion, washed 3 times in PBS additioned with antibiotics and minced in 0.5 mm pieces with a sterile scalpel. After 1 hour of incubation in trypsin/collagenase (100U/ml) solution, the suspension was centrifuged twice for 5 min. at 50xg, plated in 100 mm Falcon dishes and cultured in McCoy's medium with 20% FCS, 2mM Glutamine and Pen/strep.

In order to collect lung cells, after liver perfusion the chest cavity was opened after liver perfusion to access the lungs. The trachea was cut with a scalpel and a 22-gauge catheter was inserted into the trachea to perfuse the lungs with trypsin/collagenase solution for 5 min. in order to help the disaggregation of this tissue. The cells were then trypsinized, seeded in 24 wells and left to grow until confluence in McCoy's medium with 20% FCS, 2mM Glutamine and antibiotics.

In order to prepare bone marrow primary cultures, bone marrow cells were flushed from the cavity of femurs and tibias with a syringe containing the culture medium. Cells were plated in 12 well plates with McCoy's medium with 20% FCS, 2mM Glutamine and antibiotics, and left to grow until the stromal cells reached confluence.

To evaluate the toxic effect of the compounds, the

WO 99/11772

PCT/IT98/00231

14

same procedure was followed as in the above examples 5 and 6.

Results are reported in the Table.

Table

(A) Determination of hGH (pg/10⁶ cells) release and primary transgenic cultures viability after 5-hour treatment

Compounds	Primary lines	10 ⁻⁵ M	hGH release 5x10 ⁻⁵ M	10 ⁻⁴ M	5x10 ⁻⁴ M	10 ⁻⁵ M	Viability 5x10 ⁻⁵ M	10 ⁻⁴ M	5x10 ⁻⁴ M
CaCl ₂	hepatocytes	nd	nd	nd	nd	+	+	+	+
RbCl		nd	nd	nd	nd	+	+	+	+
CrCl ₃		/	nd	nd	nd	/	+	+	+
CuSO ₄		/	nd	80	66	/	+	+	+
K ₂ Cr ₂ O ₇		nd	65	94	65	+/-	+/-	-	-
CH ₃ HgCl		nd	nd	nd	/	+/-	+/-	-	/
CdCl ₂		309	452	57	14	+/-	+/-	-	-
NaAsO ₂		100	224	nd	/	+	+/-	-	/
CaCl ₂	Embryonic	/	nd	nd	nd	/	+	+	+
RbCl	fibroblast	/	nd	nd	nd	/	+	+	+
CrCl ₃		/	nd	nd	nd	/	+	+	+
CuSO ₄		/	nd	6	12	/	+	+	+
K ₂ Cr ₂ O ₇		9	nd	nd	nd	+/-	+/-	-	-
CH ₃ HgCl		/	nd	nd	nd	/	+/-	-	/
CdCl ₂		250	85	45	nd	+/-	+/-	-	-
NaAsO ₂		nd	113	19	nd	+	+/-	+/-	/

continues

WO 99/11772

PCT/IT98/00231

16

CaCl ₂	Kidney cells	/	nd	nd	nd	/	+	+	+
RbCl		/	nd	nd	nd	/	+	+	+
CrCl ₃		/	nd	15	nd	/	+	+	+/-
CuSO ₄		/	nd	nd	nd	/	+	+/-	+/-
K ₂ Cr ₂ O ₇		nd	nd	nd	/	+/-	+/-	+/-	/
CH ₃ HgCl	10	nd	nd	nd	/	+/-	+/-	+/-	/
CdCl ₂	nd	nd	nd	nd	/	+/-	-	-	/
NaAsO ₂	22	17	28	/	+	+/-	-	-	/
CaCl ₂	Lungs cells	/	nd	127	202	/	+	+	+
RbCl		/	28	191	71	/	+	+	+
CrCl ₃		/	92	122	166	/	+	+	+
CuSO ₄		/	nd	nd	184	/	+/-	+/-	+/-
K ₂ Cr ₂ O ₇	nd	nd	nd	nd	/	+/-	-	-	/
CH ₃ HgCl	27	nd	nd	nd	/	-	-	-	/
CdCl ₂	nd	31	11	/	/	+/-	-	-	/
NaAsO ₂	nd	37	249	/	/	+/-	+	-	/

hGH levels in untreated cells medium (controls) were not measurable after 5-24-hour incubation.

nd = undetectable; / = not determined; + = with 100% viability; with 30-70% viability;

- = 100% dead

(B) Determination of hGH (pg/10⁶ cells) release and primary transgenic coltures after 24-hour treatment.

Compounds	Primary lines	10 ⁻⁵ M	hGH release 5x10 ⁻⁵ M	10 ⁻⁴ M	5x10 ⁻⁴ M	10 ⁻⁵ M	5x10 ⁻⁵ M	10 ⁻⁴ M	5x10 ⁻⁴ M
CaCl ₂	hepatocytes	nd	nd	nd	nd	+	+	+	+
RbCl		nd	nd	nd	nd	+	+	+	+
CrCl ₃		/	36	20	nd	/	+	+	-
CuSO ₄		/	12	61	100	/	+	+	+/-
K ₂ Cr ₂ O ₇		nd	nd	nd	nd	-	-	-	-
CH ₃ HgCl		nd	63	103	/	+/-	-	-	/
CdCl ₂		nd	nd	17	21	+/-	+/-	-	-
NaAsO ₂		270	19	5	/	+	+/-	-	/
CaCl ₂	Embryonic	/	nd	nd	nd	/	+	+	+
RbCl	fibroblast	/	nd	nd	nd	/	+	+	+
CrCl ₃		/	8	10	6	/	+	+	+
CuSO ₄		/	nd	10	47	/	+	+	+
K ₂ Cr ₂ O ₇		nd	nd	nd	nd	+/-	-	-	-
CH ₃ HgCl		/	nd	nd	nd	/	-	-	-
CdCl ₂		181	108	41	nd	-	-	-	-
NaAsO ₂		19	380	37	4	+/-	+/-	-	-

continues

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Kidney cells	CaCl ₂	/	nd	nd	nd	/	+	+	+
	RbCl	/	nd	nd	nd	/	+	+	+
	CrCl ₃	/	nd	nd	nd	/	+	+	+/-
	CuSO ₄	/	nd	nd	450	/	+/-	+/-	-
	K ₂ Cr ₂ O ₇	nd	nd	nd	/	-	-	-	/
	CH ₃ HgCl	nd	nd	nd	/	-	-	-	/
	CdCl ₂	nd	81	110	/	+/-	-	-	/
	NaAsO ₂	300	nd	40	/	+	+/-	-	/
Lungs cells	CaCl ₂	/	nd	nd	nd	/	+	+	+/-
	RbCl	/	20	110	114	/	+	+	+/-
	CrCl ₃	/	200	199	35	/	+/-	+/-	+/-
	CuSO ₄	/	81	132	901	/	+/-	+/-	-
	K ₂ Cr ₂ O ₇	13	92	nd	/	-	-	-	/
	CH ₃ HgCl	nd	164	nd	/	-	-	-	/
	CdCl ₂	64	196	415	/	+/-	-	-	/
	NaAsO ₂	20	55	nd	/	+/-	-	-	/
Bone marrow cells	CaCl ₂	/	nd	51	nd	/	+	+	+/-
	RbCl	/	nd	20	128	/	+	+	+/-
	CrCl ₃	/	nd	21	21	/	+	+	+/-
	CuSO ₄	/	nd	127	145	/	+	+	-
	K ₂ Cr ₂ O ₇	nd	38	127	/	+/-	-	-	/
	CH ₃ HgCl	nd	42	165	/	+/-	-	-	/
	CdCl ₂	nd	nd	nd	/	+/-	-	-	/
	NaAsO ₂	nd	nd	nd	/	+	+/-	+/-	/

hGH levels in untreated cells medium (controls) were not measurable after 24-hour incubation.

nd = undetectable; / = not determined; + = with 100% viability; with 30-70% viability;

- = 100% dead

CLAIMS

- 5 1. A non-human transgenic mammal which comprises cells containing a construct of a heat shock protein (hsp) promoter linked to the growth hormone (GH) gene sequence.
2. A non-human transgenic mammal according to claim 1, wherein the heat shock protein promoter is hsp70 gene promoter.
- 10 3. A non-human transgenic mammal according to claim 1, which is a rodent.
4. A non-human transgenic mammal according to claim 3, which is a mouse.
- 15 5. A method for the study of chemical, physical and biological toxic agents which comprises:
- a) exposing the transgenic mammal of claims 1-4 to the toxic agent;
- 20 b) determining the effect through measurement of the hematic concentration of the reporter-gene.
6. A method according to claim 5, wherein the same animal is used for repeated tests with the same or different toxic agent.
- 25 7. A method according to claims 5-6, for the study of toxicity kinetics of one or more toxic agents.
8. A method according to claims 5-6, for the study of heat stress.
- 30 9. A method according to claims 5-6, for the study of metal toxicity.

AMENDED SHEET

10. A method according to claim 9 for the study of toxicity of metals selected from the group consisting of Rb, Cu, Hg, As and Cd.

11. The use of the transgenic mammal of claim 1 for in vivo toxicity studies.

12. The use of a transgenic animal according to claim 11, wherein said animal is a mouse.

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INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification ⁶ : C12N 15/00, A01K 67/027, C12N 5/10		A1	(11) International Publication Number: WO 99/11772
			(43) International Publication Date: 11 March 1999 (11.03.99)
(21) International Application Number: PCT/IT98/00231		(74) Agent: MINOJA, Fabrizio; Bianchetti Bracco Minoja S.r.l., Via Rossini, 8, I-20122 Milano (IT).	
(22) International Filing Date: 11 August 1998 (11.08.98)		(81) Designated States: AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GE, GH, GM, HR, HU, ID, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).	
(30) Priority Data: MI97A001972 28 August 1997 (28.08.97) IT			
(71) Applicant (for all designated States except US): CONSIGLIO NAZIONALE DELLE RICERCHE [IT/IT]; Piazzale Aldo Moro, 7, I-00185 Roma (IT).			
(72) Inventor: RONCUCCI, Romeo (deceased).			
(72) Inventors; and			
(75) Inventors/Applicants (for US only): SACCO, Maria, Grazia [IT/IT]; Institute of Advanced Biomedical Technologies, Consiglio Nazionale delle Ricerche, Via Ampere, 56, I-20131 Milano (IT). ZECCA, Luigi [IT/IT]; Institute of Advanced Biomedical Technologies, Consiglio Nazionale delle Ricerche, Via Ampere, 56, I-20131 Milano (IT). BROMLEY, Peter [CH/IT]; Institute of Advanced Biomedical Technologies, Consiglio Nazionale delle Ricerche, Via Ampere, 56, I-20131 Milano (IT). CLERICI, Libero, A. [IT/IT]; Joint Research Center, Environment Institute, I-21027 Ispra (IT). VEZZONI, Paolo [IT/IT]; Institute of			

Published

With international search report.

Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.

In English translation (filed in Italian).

(54) Title: TRANSGENIC ANIMALS FOR THE STUDY OF BIOLOGICAL, PHYSICAL AND CHEMICAL TOXIC AGENTS

(57) Abstract

The invention provides non-human transgenic animals bearing regulatory DNA sequences in some or all their cells, which are sensitive to biological, physical and chemical toxic agents. Such sequences are linked to sequences of reporter genes useful for toxicological studies.

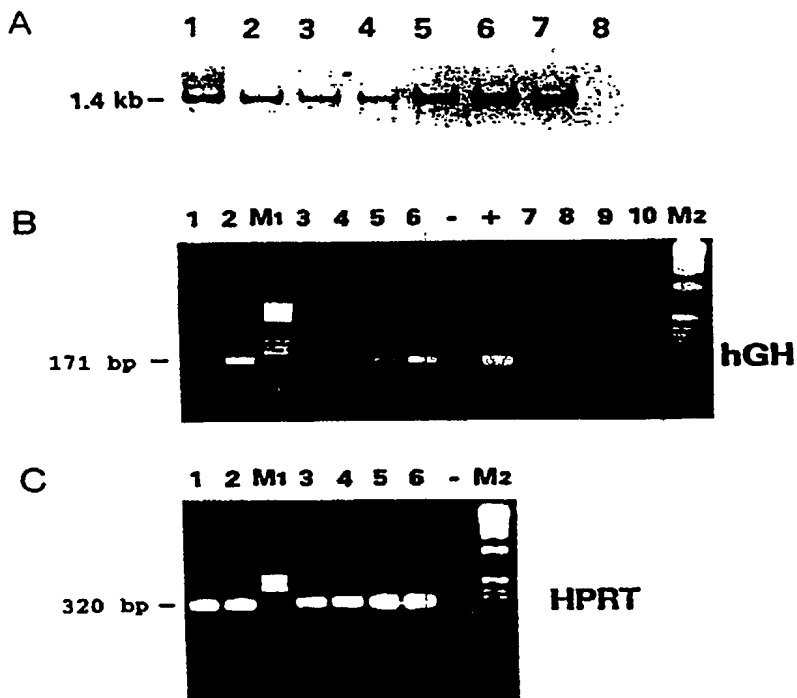
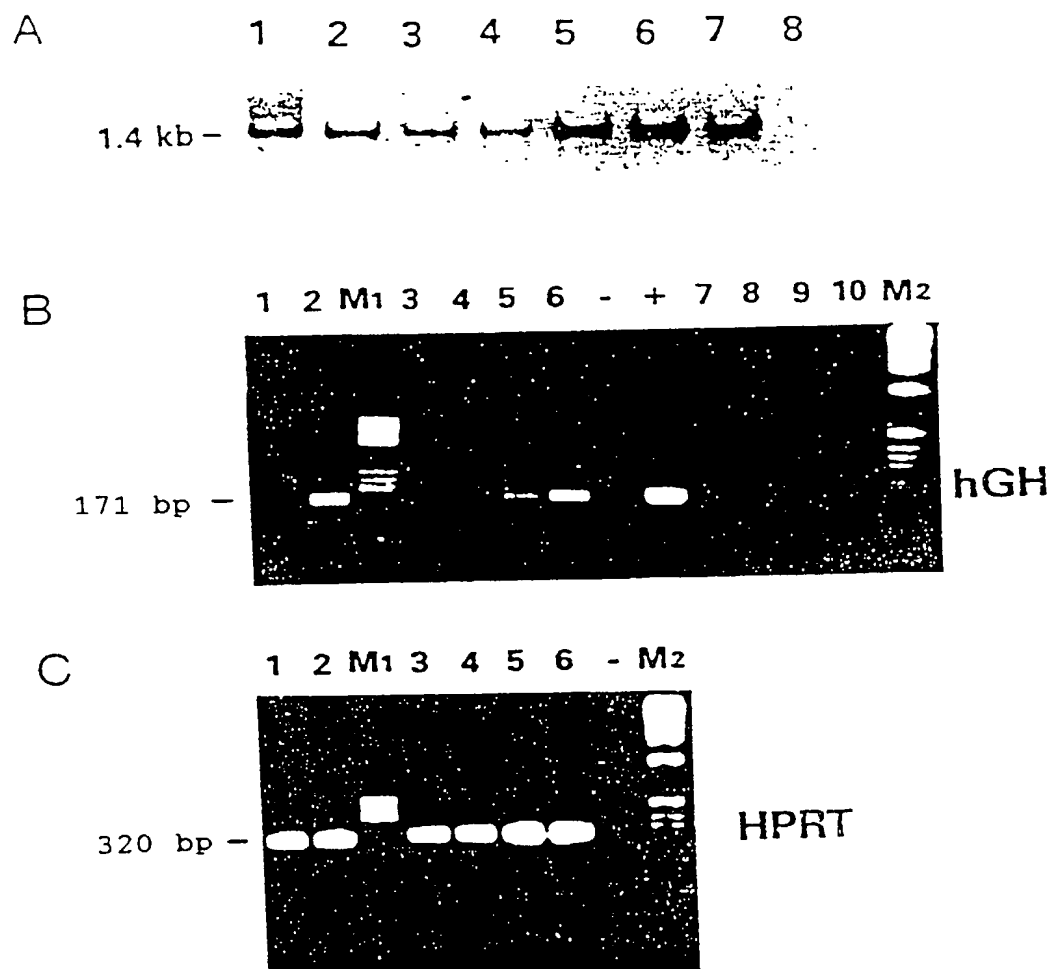


FIGURE 1



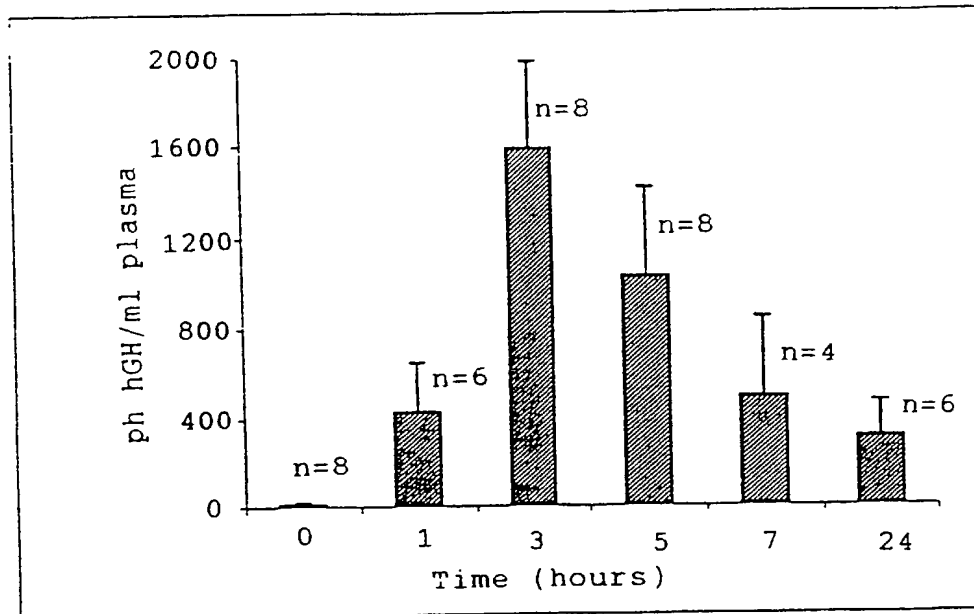


FIGURE 2

FIGURE 3

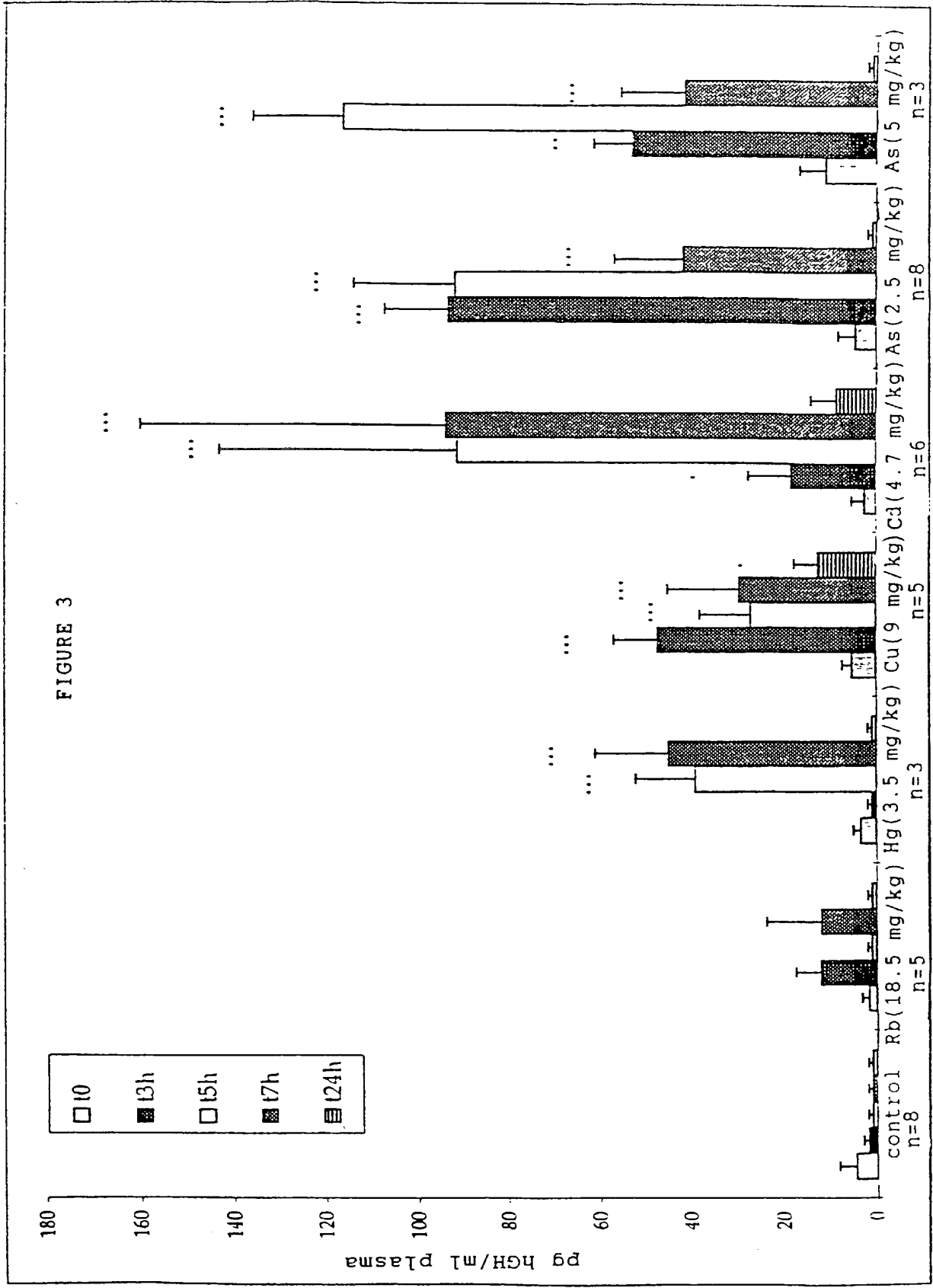
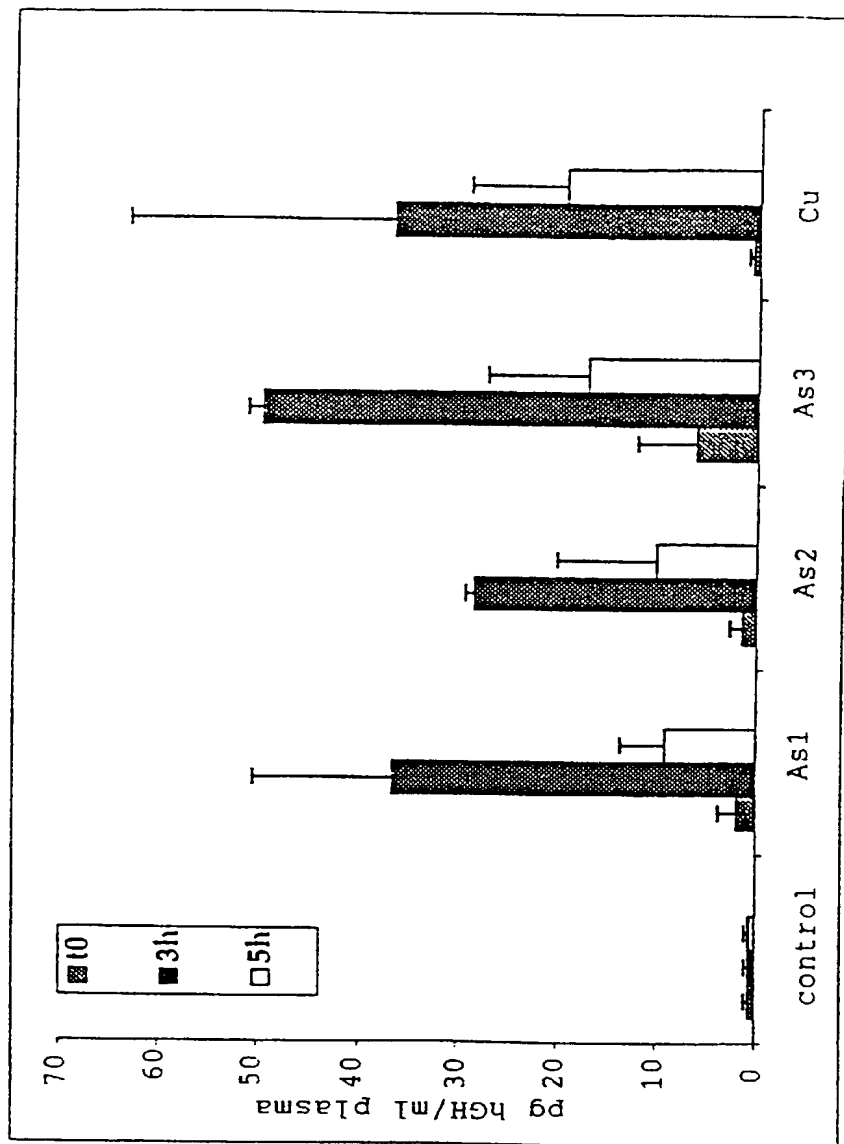


FIGURE 4



DECLARATION FOR UNITED STATES PATENT APPLICATION
(For Use With Both PCT and Non-PCT Applications) (Atty. Docket: SCBREV-223)

As a below named inventor, I declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled, (1) TRANSGENIC ANIMALS FOR THE STUDY OF BIOLOGICAL, PHYSICAL AND CHEMICAL TOXIC AGENTS, the specification of which is attached hereto unless the following box is checked: (2) ☒ was filed on (3) 28 February 2000 (4) as U. S. Appl. SN or PCT International Appl. No. _____ and was amended on (5) 28 February 2000 (if applicable).

I state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56. I claim foreign priority benefits under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
(6) <u>MI97A 001972</u>	<u>ITALY</u>	<u>28 August 1997</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>PCT/IT98/00231</u>	<u>PCT</u>	<u>11 August 1998</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I claim the benefit under 35 USC 120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Appln. Serial No.

Filing Date

(7) _____ (Status: ☐ Patented ☐ Pending ☐ Abandoned)
 _____ (Status: ☐ Patented ☐ Pending ☐ Abandoned)

I appoint B. Franklin Griffin, Jr., Reg. No. 19,334; F. Prince Butler, Reg. No. 25,665; Fred S. Whisenant, Reg. No. 24,378; Joerg-Uwe Szpil, Reg. No. 31,799; and Richard J. Gallagher, Reg. No. 28,781, individually and jointly my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and with the resulting patent, whose address is Griffin, Butler, Whisenant & Szpil, LLP, Suite PH-1, 2300 9th Street, South, Arlington, Virginia 22204-2320, Telephone No. (703) 979-5700, Customer No. 113.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(8) Full name of sole or first inventor SACCO, Maria, Grazia

Inventor's signature Maria Grazia Sacco Date 21 March 2000

Residence Institute of Advanced Biomedical Technologies, Consiglio Nazionale delle Ricerche, Via Ampere,

56, 20131 Milano, Italy IT Citizenship Italian

Post Office Address Same as Above

(8) Full name of joint inventor ZECCA, Luigi

Inventor's signature Luigi Zecca Date 23 March 2000

Residence Institute of Advanced Biomedical Technologies, Consiglio Nazionale delle Ricerche, Via Ampere,

56, 20131 Milano, Italy IT Citizenship Italian

Post Office Address Same as Above

(8) Full name of joint inventor BROMLEY, Peter

Inventor's signature _____ Date _____

Residence Institute of Advanced Biomedical Technologies, Consiglio Nazionale delle Ricerche, Via Ampere,

56, 20131 Milano, Italy CH Citizenship Switzerland

Post Office Address Same as Above

(1) Insert title of invention.

(2) Check block for PCT application or U. S. application already on file, and complete items (3), (4) and (5). If PCT national phase entry application, insert international PCT application filing date, Serial No., and date of any Article 19 amendments.

(6) Complete for foreign priority documents; add additional page if needed.

(7) Complete for earlier US parent applications; add additional page if needed.

(8) Complete all blanks. Attach second page for further joint inventors.

CAUTION: THIS FORM MAY BE USED ONLY IF ALL INVENTORS READ AND UNDERSTAND ENGLISH.

Post Office Address _____

8335 ✓

DECLARATION FOR UNITED STATES PATENT APPLICATION

As the below named legal guardian of Rachele RONCUCCI and Regina RONCUCCI, I declare that Rachele RONCUCCI and Regina RONCUCCI are minor heirs of Romeo RONCUCCI, deceased, who is an inventor/applicant of the subject matter which is claimed and for which a patent is sought on the invention entitled, (1) TRANSGENIC ANIMALS FOR THE STUDY OF BIOLOGICAL, PHYSICAL AND CHEMICAL TOXIC AGENTS, the specification of which is attached hereto unless the following box is checked: (2) ☒ [X] was filed on (3) 28 February 2000 (4) as U. S. Appl. SN or PCT International Appl. No. _____ and was amended on (5) 28 February 2000 (if applicable).

I state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. The duty to disclose information which is material to patentability as defined in 37 CFR 1.56 is hereby acknowledged. Foreign priority benefits under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below are hereby claimed and identified below are any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

	<u>NUMBER</u>	<u>COUNTRY</u>	<u>DAY/MONTH/YEAR FILED</u>	<u>PRIORITY CLAIMED</u>
(6)	<u>M197A 081972</u>	<u>ITALY</u>	<u>28 August 1997</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<u>PCT/IT98/00231</u>	<u>PCT</u>	<u>11 August 1998</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/> Yes <input type="checkbox"/> No

I claim the benefit under 35 USC 120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Appln. Serial No.</u>	<u>Filing Date</u>
--------------------------	--------------------

(7) _____ (Status: [] Patented [] Pending [] Abandoned)
 _____ (Status: [] Patented [] Pending [] Abandoned)

I appoint B. Franklin Griffin, Jr., Reg. No. 19,334; F. Prince Butler, Reg. No. 25,666; Fred S. Whisenant, Reg. No. 24,378; Joerg-Uwe Szpil, Reg. No. 31,799; and Richard J. Gallagher, Reg. No. 28,781, individually and jointly my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and with the resulting patent, whose address is Griffin, Butler, Whisenant & Szpil, LLP, Suite PH-1, 2300 9th Street, South, Arlington, Virginia 22204-2320, Telephone No. (703) 979-5700, Customer No. 113.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Romeo RONCUCCT, Deceased

BY: Maria Novella
Maria Novella CASTAGNOLI, Guardian of Rachele

RONCUCCI and Regino RONCUCCI, who are minor heirs of Romeo RONCUCCI, Deceased, and who reside at via Ungaretti 17, 20028 San Vittore Olona, Milano, Italy

Dated: 23.05.2000

- (1) Insert title of invention.
- (2) Check block for PCT application or U. S. application already on file, and complete items (3), (4) and (5). If PCT national phase entry application, insert international PCT application filing date, Serial No., and date of any Article 19 amendments.
- (6) Complete for foreign priority documents; add additional page if needed.
- (7) Complete for earlier US parent applications; add additional page if needed.

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DECLARATION FOR UNITED STATES PATENT APPLICATION
(For Use With Both PCT and Non-PCT Applications) (Atty. Docket: SCBREV-223)

I declare that I am the below named heir of Romeo RONCUCCI, deceased, who is an inventor/applicant of the subject matter which is claimed and for which a patent is sought on the invention entitled, (1) TRANSGENIC ANIMALS FOR THE STUDY OF BIOLOGICAL, PHYSICAL AND CHEMICAL TOXIC AGENTS the specification of which is attached hereto unless the following box is checked: (2) ☒ was filed on (3) 28 February 2000 (4) as U. S. Appl. SN or PCT International Appl. No. and was amended on (5) 28 February 2000 (if applicable).

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Prior Foreign Application(s)

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<u>PCT/IT98/00231</u>	<u>PCT</u>	<u>11 August 1998</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

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Appln. Serial No.	Filing Date	(Status: <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned)
(7) <u> </u>	<u> </u>	(Status: <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned)

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807 Romeo RONCUCCI, Deceased

BY: Sylvia RONCUCCI, an heir of Romeo RONCUCCI, Deceased,
residing at Via Thaon di Revel, 12, 20159 Milano,
Italy

Dated: 23.05, 2000

- (1) Insert title of invention.
(2) Check block for PCT application or U. S. application already on file, and complete items (3), (4) and (5). If PCT national phase entry application, insert international PCT application filing date, Serial No., and date of any Article 19 amendments.
(6) Complete for foreign priority documents; add additional page if needed.
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